

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FIREMAN'S FUND INSURANCE
COMPANY,

No. C 08-03079 WHA

Plaintiff,

v.

**ORDER RE SCHEDULE FOR
DISPOSITIVE MOTIONS**

DISCOVER PROPERTY & CASUALTY
INSURANCE COMPANY,

Defendant.

The Court has been generous in granting continuances for discovery based upon counsel's heart condition. Now counsel requests a postponement in summary judgment practice. Some postponement can be tolerated within the schedule but the trial date can not be moved. One reason is that the Court has a large extensive criminal case starting a few weeks thereafter and the trial calendar for 2010 is already solidly booked.

The Court will allow a postponement of summary judgment practice but only provided that the normal 35-day track be compressed as follows:

Opening memoranda are due on July 30, 2009;

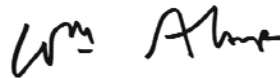
Oppositions are due on August 10, 2009;

Replies are due on August 14, 2009;

1 The hearing will be on **AUGUST 20, 2009 AT 8 A.M.** The trial date will remain on
2 **SEPTEMBER 14, 2009** and the final pre-trial conference will be on **SEPTEMBER 4, 2009 AT**
3 **8 A.M.**

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5 **IT IS SO ORDERED.**

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7 Dated: June 10, 2009.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE